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Letter dated 3 August 2004 from the Permanent Representative of the Philippines to the United Nations addressed to the President of the Security Council

I would appreciate it if the attached Philippine presidency's summary of the Security Council open debate on the role of civil society in post-conflict peace-building, held on 22 June 2004 (see annex) could be circulated as a document of the Security Council.

The summary contains the highlights of the discussion and specific suggestions and recommendation from Member States.

(*Signed*) Lauro L. **Baja**, Jr.
Permanent Representative

04-45188 (E) 090804

Annex to the letter dated 3 August 2004 from the Permanent Representative of the Philippines to the United Nations addressed to the President of the Security Council

Summary of the Security Council open debate on the role of civil society in post-conflict peace-building, 22 June 2004

The Security Council under the Presidency of the Philippines held an open debate on the *role civil society in post-conflict peace-building* on Tuesday, 22 June 2004. The debate was chaired b H.E. Delia Domingo Albert, Secretary of Foreign Affairs of the Republic of the Philippines, and had for its guests, UN Secretary-General H.E. Kofi Annan, ECOSOC President H.E. Marjatta Ra the Secretary General of CARE International, Mr. Denis Caillaux, and the Vice-President of the International Center for Transitional Justice, Mr. Ian Martin. Members of the Security Council, a well as representatives from Australia, Bangladesh, Canada, Egypt, Ireland (on behalf of the European Union and associated States), Japan, Republic of Korea, Nepal, Peru, Senegal, Sierra Leone and Uganda participated in the deliberations.

The debate was based on the concept paper prepared by the Philippines (S/2004/ 442). Following were highlights of the discussions and a consolidated summary of recommendations a suggestions on how the United Nations in general, and the Security Council, in particular, could harness civil society participation in post-conflict peace-building:

I. Highlights of the Discussions

1. Secretary-General Kofi Annan called for a two-way dialogue between the United Nations and civil society, to ensure that their respective efforts complement each other. The Council shou not view the inputs by civil society as an attempt to usurp its role, but as a way to add quality and value to its decisions and ensure their effective implementation. He also emphasized the need for civil society involvement in the deliberative processes of all peace-building initiatives, and at the same time, urged civil society to seek to reduce the influence of forces promoting exclusionary policies or violence. The Secretary-General invited the Council Members to pay attention to the report of the Panel of Eminent Persons on UN relationship with civil society.[1]

2. The ECOSOC President, H.E. Marjatta Rasi, said that "civil society organizations (NGOs are increasingly an indispensable partner" of the ECOSOC in the area of rehabilitation and reintegration at the local level, human rights, the rule of law, health and other social programmes, physical infrastructure, and the environment. Civil society organizations (CSOs) have been helpi in implementing demobilization programmes, protecting children from involvement in armed conflict, and confronting problems caused by landmines, among others. She also reminded the

[1] The Report of the Panel of Eminent Persons, entitled, *"We the Peoples: civil society, the United Nations and global governance,"* (A/58/817) was released on 21 June 2004. The report has proposed a number of concrete measures to increase the participation of civil society, including practical suggestions on how the Security Council could effective engage with civil society, ranging from making use of the Arria formula to holding seminars on how issues of emergi importance, to convening independent commissions of inquiry after Council-mandated operations.

Council of the "wide responsibilities in relations to international cooperation for relief and development assistance" which the NGOs had to assume. She therefore encouraged international organizations and Governments to support NGOs in their efforts at relief and development assistance, as she also urged improving coordination between the actors through "information exchange, regular consultations and joint needs-assessments in the field." Ambassador Rasi underscored the need for a shared understanding of the longer-term commitments necessary for a transition from relief work towards post-conflict reconstruction and rehabilitation. She also called on the media to "serve as a social educator to defuse potential conflicts," and advocated the development of regional civil society networks.

3. The Secretary-General of *CARE International*, Mr. Denis Caillaux, offered the following concrete recommendations to harness UNSC-civil society relations as he described the various activities and experiences of CARE International on the ground: 1) for the Security Council to demonstrate its leadership by issuing a strong presidential statement that would express its commitment to engage civil society representatives, including women and children, in all phases of the peace processes; 2) create "Arria-Plus" formulas for civil society consultations, in accordance with the Cardoso Panel's findings; 3) establish a civil society forum for each peace process that would formalize existing *ad hoc* consultative practices with civil society sectors during peace processes; 4) institute the Arria formula in the field, in accordance with the Cardoso Panel's findings for a more systematic consultation process by Security Council missions with civil society experts in the field; 5) establish a "community observer programme for expert-level officers of Security Council member States;" and 6) request the Secretary-General to submit an action plan to the Council, with inputs from civil society organizations, on guidelines for conducting comprehensive analysis of the origins, the dynamics and actors related to each conflict.

4. Mr. Ian Martin, Vice President of the *International Center for Transitional Justice (ICTJ)*, shared lessons that ICTJ has learned in the filed, including the following: 1) there is a need to confront the past in order to build a just foundation for the future; 2) that there is no "one-size-fits-all" approach to post-conflict-peace-building; and 3) questions about peace-building initiatives have to "emerge from or resonate within civil society." The ICTJ has been advocating the adoption of the following measures to rectify past abuses, namely: a) criminal prosecution of perpetrators of serious crimes; b) establishing truth commissions; c) providing reparation packages, including, but not limited to, financial compensation; d) rigorous analysis of institutional culpability; e) efforts to reform institutions, including vetting of personnel; and, f) reintegration and reconciliation initiatives. He also underscored the need to establish the rule of law as a parallel peace-building strategy. Recalling the recommendations in the Cardoso Panel report, he advocated giving civil society organizations direct access to the Security Council, and to all Missions, including New York, and reiterated that civil society must be involved during negotiations, planning and implementation of a peace-settlement and post-conflict needs assessment.

5. Member states participating in the debate acknowledged that successful peace-building initiatives could be achieved through a comprehensive and multi-dimensional approach and with the active cooperation and broadest participation of all stakeholders, including civil society organizations. They also recognized the need to establish a mechanism or a strategy to foster the partnership between the United Nations and the CSOs.

6. Recognizing the significant contributions of civil society groups in peace-building, relief and humanitarian efforts, the Member States lauded the efforts of CSOs in providing grassroots information and early warning for conflict prevention, as well as in national reconstruction and rehabilitation. However, not all are convinced that the existing interaction between the Council and these organizations need to be "formalized" or "brought a step further".

7. Most Members supported the practice of holding the "Arria-plus formula" meetings, as well as enhancing and strengthening the effectiveness of such meetings. Some Members, however, cautioned about "formalizing" such meetings.

8. Member States welcomed the report of the Cardoso Panel and noted its specific recommendations to enable civil society organizations to participate in the planning and in the implementation stages of peace-building initiatives. They also recognized the need to enhance coordination and cooperation among the Security Council, the General Assembly, the ECOSOC and other UN bodies and institutions involved in conflict prevention and post-conflict peace-building.

9. Most Member States also agreed that for post-conflict peace-building initiatives to succeed, there is a need to include economic and social development in all reconstruction and rehabilitation plans.

10. Some Members likewise recognized the potential role of the religious sector in post-conflict peace-building.

II. Specific Suggestions and Recommendation from Member States

1. Establish a strategy/framework/mechanism for post-conflict peace-building

- There is a need to establish a solid conceptual and operational framework to strengthen the relationship between the Security Council and the civil society in the search for peace, reconciliation, justice, and social progress.

- A strategy of alliance between the UN and civil society actors in peace-building should be defined, but there is a need to proceed cautiously, in order to respect the initiative and independence of civil society. In defining such strategy, due consideration should be given to the following elements:
  a) identify specific points at which peace-building must necessarily mobilize civil society, e.g. re-integrating ex-combatants, preparing for elections, etc.;
  b) strengthen two-way communication between representatives of civil society and UN authorities in the field, especially in peacekeeping operations (including the possibility of a cross-cutting resolution that would develop a communications strategy in Security Council peacekeeping operations);
  c) for representatives of civil society to associate themselves earlier on with the policies that have been laid down by the UN, e.g. representatives of the economic circles of the country to attend donor conferences); and

d) involve civil society more closely in implementing UN reconstruction efforts (i.e. increase local recruitment by peace-keeping operations and develop linguistic capabilities in those operations).

- There is a need to build new relationships between the government service providers and communities (in all peace-building issues), where the civil society will have to be involved in the planning, implementation, and monitoring of community-based programmes.

- The UN should further develop a machinery to govern interaction with representatives of civil society organizations, and reflect civil society role/s in Security Council resolutions.

- There is a need to provide a comprehensive, integrated and coherent approach to post-conflict peace-building, with the participation of the civil society. Such an approach should be:
  a) comprehensive – both in scope and in implementation detail;
  b) integrated – in the sense that it recognizes the symbiotic relationship of legal, political, economic, social and cultural concerns:
  c) participative – taking into account the contributions from all stakeholders at the national and international level, and
  d) flexible – capable of adjusting to changing circumstances and developments.

- To effectively address the complex crises in their political, economic, and social dimensions, there is a need to establish a composite committee of the Security Council, the General Assembly, and the ECOSOC. A multi-dimensional approach to post-conflict nation-building should be established.

- There should be interactive interface among the relevant UN entities led by the Security Council, and the local, national, and international actors and stakeholders working in synergy with one another.

- It is important for the United Nations to have a clearer view of its relations with the CSOs. The UN should base its engagement with the CSOs on policies, mechanisms, and procedures that are coherent, consistent, and predictable.

- There is no "one-size-fits-all" model of governmental, inter-governmental and civil society interaction. However, the Security Council may tailor such activities on a case-by-case basis, weaving them into individual peacekeeping mandates.

2. ***Maintain governmental/intergovernmental and civil society communication and coordination***

- There is a need to define the United Nations' broad parameters for common action in the field of peace-building, as well as to rethink and redefine the cooperation between governmental and non-governmental organizations during the peace-building phase, through clear sharing of their roles and responsibilities.

- There is a need to establish close relations and healthy cooperation among all actors in the peace-building process and to encourage CSOs to provide moral support for the population and the local structures. There is also a need to establish communication and sustain coordination between CSOs and the UN system at the field level, especially in the monitoring and evaluation, identifying best practice approaches, as well as in providing early warning signals.

- The United Nations should start discussions on how to deal effectively with the challenges of peace-building with the participation of the civil society. The Security Council must seek opportunities for consideration, for action, with principal organs of the UN, e.g. General Assembly, the ECOSOC, and the Secretariat. There is also a need to strengthen links between the CSOs and the ECOSOC and its *ad hoc* advisory bodies.

- There is a need to deepen dialogue between the Security Council and the CSOs through informal means. Constructive dialogue with Security Council Missions in the field should be encouraged. There is also a need to establish positive dialogues between representatives and Special Envoys of the Secretary General and the UN Resident Representatives with members of the CSOs. Early warning from the field and dialogue on an ongoing basis in the field between the CSOs and UN are vital. The NGO Working Group on Security Council, for instance, is a useful forum for debate.

- There should be systematic consultations with CSOs through: a) assessment teams preparing new peace operations; b) regular consultative meetings between CSOs and the highest UN representative; c) establishment of an NGO coordinator at the senior level in the UN field presence; d) instruction of incoming UN mission leaders and personnel by local civil society leaders with regard to in-country norms and cultural traditions; e) transparent and factual information on mission activities and funding in national languages so that civil society may effectively interact with UN Missions.

- CSOS can work in tandem with UN agencies on the ground, especially in peacekeeping missions operating under the Security Council mandate, help with the safe return of displaced populations, demobilization and reintegration of former combatants, assistance for economic and social progress and re-establishing the rule of law.

- The international community can assist local communities and individuals in designing programmes by providing capacity-building services and access to financing and by establishing legal entities such as cooperatives.

- CSOs should complement the efforts of the international community in helping post-conflict countries. CSOs should support the central roles of the UN, assist in the implementation of relevant Security Council resolutions, enhance coordination and cooperation with various UN agencies, and offer ideas and advice on how to accelerate peace and reconstruction.

- In the actual peace-building phase, there is a need to start with the design of the project blueprint. CSOs and the UN can assist in providing relief, health, education, and other

public services; spur economic revival and social recovery; promote advocacy of human rights, ethics and the rule of law in catalyzing total human development. CSOs can also assist in identifying, understanding, and addressing the root causes of conflict, and, in helping formulate collaborative reconstruction strategies.

3. ***Include economic and social development in post-conflict peace-building***

- The CSOs should generate equitable social and economic development in countries and regions affected by conflicts for effective and sustainable peace-building.

- The CSOs should also assist in economic reconstruction and sustainable development. Since CSOs have the advantage in resources, expertise, and skills, they can contribute in providing humanitarian relief, promoting the administration of justice, and advocating national reconciliation. They can also mobilize international support to help countries in conflict areas develop their economies, eradicate poverty, increase employment, restore infrastructure and enhance national and local capacity-building.

- There is a need to design strategies, locally and regionally, that aim to strengthen private organizations and CSOs build their capacity for more effective collaboration and to develop mechanisms for participation in all stages and processes related to peace-building.

4. ***Further enhance and develop creative and cooperative relationships among civil society, Security Council and the UN system as a whole***

- Conduct series of Security Council seminars to discuss issues of emerging importance to the Council, particularly more relevant in the context of the Council's consideration of generic peace-building issues.

- New York delegations and country experts should spend some time in the field.

- Develop a country approach and interaction between the Security Council and the national level.

- Ensure synergy among various actors of civil society and other actors by providing a division of labor based on the comparative advantages of the various groups.

- Security Council peacekeeping mandates should clearly stipulate the role/s commensurate with the potentials of the CSOs.

- CSOs should ensure that national reconciliation is a priority through truth and reconciliation commissions.

5. *Following the recommendation of the Cardoso Panel Report*

- There is a need to embark on a complete overhaul of the Security Council's peacekeeping approach, including ways to broaden and strengthen the effective contribution of the civil society in that process, by drawing inspiration from some of the recommendations of the Cardoso Panel.

Make use of the Arria-formula type of meetings

- Improve the planning, effectiveness and better use of the Arria-formula meetings, but avoid making such meetings more formalized, which could prove cumbersome than beneficial.

- The Security Council should meet regularly with appropriate local civil society leaders and representatives of the civil society. There is a need to conduct "Arria-plus" meetings on the ground (e.g. Council's Mission to West Africa), and the need to redesign Security Council Missions to the field by having smaller, but more frequent missions.

- The Security Council can guide the further development of a peace-building doctrine through its debates and resolutions. Civil society can help through the Arria-formula meetings, open debates, seminars and informal interaction.

Correct the representational imbalance of CSOs

- The international community should pay more attention to CSOs in the developing countries and to encourage them to participate more actively. There is a need to establish a fund aimed at strengthening the capacity of civil society in countries in the South as recommended by the Cardoso Panel, in order to correct the representational imbalance between the CSOs from the North and the South.

- There is also a need to improve the capabilities and resources of CSOs in countries emerging from conflicts as a prerequisite for rectifying inequalities between CSOs in the North and the South.

Independent commissions of inquiry

- There is a need to convene independent commissions of inquiry following UN operations mandated by the Council (e.g. a global public policy committee), that would connect national foreign affairs committees to serve as such into a commission.

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Report of the Secretary-General pursuant to paragraph 24 of resolution 1483 (2003) and paragraph 12 of resolution 1511 (2003)

I. Introduction

1. The present report is the third submitted pursuant to paragraph 24 of Security Council resolution 1483 (2003) and the second submitted pursuant to paragraph 12 of resolution 1511 (2003). The report summarizes the activities of the United Nations Assistance Mission for Iraq (UNAMI) since my last report (S/2003/1149) was issued, on 5 December 2003, particularly with regard to reconstruction, development and humanitarian assistance activities. The report also summarizes United Nations activities during the period under review in support of the political transition process in Iraq.

II. Summary of Mission activities from 5 December 2003 to 13 August 2004

2. The United Nations Assistance Mission for Iraq was formally established by resolution 1500 (2003) of 14 August 2003 for an initial period of 12 months. The Mission started its operations on 1 September 2003. On 10 December 2003, I appointed Ross Mountain as my Special Representative for Iraq and Head of UNAMI ad interim. As a result of the attacks against the United Nations headquarters building in Baghdad on 19 August and 22 September 2003 and the overall deterioration of the security situation in Iraq, the United Nations has not been able to carry out the tasks outlined in my first report pursuant to resolution 1483 (2003) (S/2003/715). Against this background, the Security Council in resolution 1511 (2003) recognized that the United Nations should implement its mandate under resolution 1483 (2003) "as circumstances permit".

3. In my last report (S/2003/1149), I indicated that an incremental process had begun to relocate our international staff temporarily outside Iraq. At that time, it was impossible to forecast if and when circumstances would permit the full deployment of UNAMI to Iraq. At the same time, prudent contingency planning was required to enable the United Nations to respond as quickly as possible to requests for assistance from the Iraqi people, as circumstances permitted.

04-44931 (E) 060804

4. Since December 2003, the security environment in Iraq has not improved. I therefore decided temporarily to establish UNAMI and other Iraq programme activities in Cyprus (Larnaca), Jordan (Amman) and Kuwait. International staff are currently allowed into Iraq only for emergency humanitarian relief operations, security operations, or any other operations deemed essential. Despite these constraints, we have remained fully committed to helping the Iraqi people to rebuild their country. To this end, the United Nations system has continued to manage a broad range of essential assistance activities in all parts of Iraq, not least through the dedicated work on the ground of local United Nations staff and implementing partners.

A. Security

5. Staff security remains the overriding constraint for all United Nations activities in Iraq. During the period under review, the acting United Nations Security Coordinator assessed the risks to United Nations personnel in Iraq as being in the high to critical category. For the foreseeable future the United Nations will remain a high-value, high-impact target for attack in Iraq. UNAMI and United Nations agencies and programmes will therefore continue to minimize administrative overheads and presence in Iraq by limiting their activities inside Iraq to the essential. They will also make use of a system-wide pool of services based on a limited number of common facilities in Iraq.

6. In the absence of a significant improvement in the overall security situation, the United Nations must continue to incorporate into all plans and activities the special measures set out in paragraph 84 of my last report. They include enhanced minimum operating security standards for offices and residences, a strengthened security management structure, additional training for all staff members, and a requirement for protection by dedicated armed forces. All United Nations staff are therefore required to undergo a three-day security awareness and information training as a precondition for deployment to Iraq. Moreover, any long-term deployment of international staff members to Iraq will require the prior development of United Nations living and working facilities to the minimum operating security standards requirements. It will also require security arrangements by the multinational force and the United Nations in line with their respective responsibilities. I accordingly welcome the provision, under paragraph 13 of resolution 1546 (2004), for protection by a distinct entity under unified command of the multinational force. Planning is now under way with a view to concluding a formal agreement on protection, exchange of information, emergency medical evacuation, and other assistance.

7. The United Nations lacks the integral resources for the early discharge of its own security responsibilities in Iraq. Therefore, it will have to rely on the Interim Government of Iraq and the multinational force to provide its security on the initial re-entry of United Nations international staff. The assistance of Member States is being sought for the establishment by UNAMI of dedicated security units to ensure the internal security of United Nations premises and the personal protection of United Nations personnel, and to coordinate protection arrangements with the multinational force, in particular with regard to paragraph 13 of resolution 1546 (2004). Outside United Nations premises, the multinational force will, at least

initially, serve as the effective guarantor of the overall security of the United Nations personnel in Iraq.

B. Political and electoral activities

8. The political affairs section of UNAMI has actively monitored political issues relevant to the transition process in Iraq. Through contacts with a wide range of Iraqis both inside and outside the country, diplomatic and professional visitors, and monitoring of the media, UNAMI has provided regular assessments of political developments to United Nations Headquarters. The Mission has also provided political analysis, staffing, translation and logistical support to political and electoral missions from headquarters to the mission area. In July 2004, UNAMI started providing support to the electoral process by providing logistic, communications, information technology and voter education supplies. UNAMI also facilitated the work by an international research group of polling and other information-gathering exercises in Iraq to obtain empirical evidence of Iraqi attitudes towards the political processes currently under way and the United Nations role.

C. Capacity-building, reconstruction, development and humanitarian assistance

9. UNAMI has fostered a sustained effort by United Nations agencies and programmes to support Iraqi ministries and civil society in the delivery of services to the Iraqi people. UNAMI sees its role in this area as providing coordination and support for United Nations organizations and agencies collectively to bring to bear their specialized capabilities in the implementation of programmes. In responding to approaches by ministers of the Interim Government, the United Nations is providing training and related support including through regular contact with ministers and senior ministry officials. It has promoted capacity-building within Iraqi ministries and makes efforts to ensure that wherever possible Iraqi nationals are used in project implementation, including as contractors, non-governmental organizations and other partners. UNAMI also actively worked with the Ministry of Planning and Development Cooperation in coordinating assistance with donors and non-governmental organizations.

10. In February 2004, the country team, composed of all United Nations agencies, offices, funds and programmes with activities on Iraq, developed a strategic planning framework for all United Nations activities in Iraq. UNAMI coordinates this framework to maximize safety, efficiency and the added value of its activities. Under the framework there are 11 clusters[1] informed by five cross-cutting themes — security, human rights, gender, environment and employment generation. During the period under review, UNAMI and the United Nations country team have undertaken a wide range of capacity-building, reconstruction, development and humanitarian assistance planning activities.

[1] (1) Education and culture; (2) Health; (3) Water and sanitation; (4) Infrastructure and housing; (5) Agriculture, water resources and environment; (6) Food security; (7) Mine action; (8) Internally displaced persons and refugees; (9) Governance and civil society; (10) Poverty reduction and human development; (11) Support to the electoral process.

11. These activities include, inter alia, rehabilitation of schools and other facilities; assistance in developing school curricula, school system reform and strengthened vocational education; strengthening the capacity of the Ministry of Health in restructuring the Iraqi health-care system and responding to emerging health needs; immunization programmes; rehabilitation of water treatment plants, water pumps and sewage purification plants; rehabilitation of power plants and upgrading transmission systems; housing projects for selected vulnerable groups in urban centres; supporting the Ministry of Trade's public distribution system and procurement and delivery of food items; capacity-building support to the National Mine Action Authority; protection and material assistance to internally displaced persons, returning Iraqi refugees and third-country refugees in Iraq; capacity-building support for the Ministry of Displacement and Migration and other Iraqi counterpart authorities; support for the creation of employment opportunities and improvement of vocational training; capacity-building support to the Ministry of Labour and Social Affairs.

12. In addition to the above activities, UNAMI, in cooperation with the Office of the United Nations High Commissioner for Human Rights, provided capacity-building support to Iraqi ministries and other institutions as well as professional and community-based organizations in the area of governance and human rights. To this end, UNAMI, among other activities, facilitated consultations between the Ministers of Justice and Human Rights and international experts on judicial and legal reform and human rights. On 4 June 2004, the Acting High Commissioner for Human Rights submitted a report on the present situation of human rights in Iraq to the Commission on Human Rights (E/CN.4/2005/4).

13. UNAMI under the Humanitarian Coordinator established an inter-agency, multisectoral Emergency Response Working Group in April 2004. The Working Group deals with humanitarian monitoring and early warning, contingency planning, coordination, information management and advocacy. It also addresses funding and civil-military cooperation issues. The identification of an Iraq-wide humanitarian "focal point" network is under way. The focal points will collate humanitarian information for verification, analysis and dissemination to the wider humanitarian community.

14. UNAMI also developed a contingency plan for Iraq. The document focuses on three potential scenarios and addresses strategic objectives and operational issues to enhance emergency preparedness in Iraq in the coming three to six months. This initiative is further consolidated by the engagement of the Special Representative of the Secretary-General a.i./Humanitarian Coordinator with the Ministry of Planning and Development Cooperation in devising support mechanisms to facilitate the establishment of a national emergency response capacity.

D. Public information activities

15. In order to meet the challenges of "remote" humanitarian coordination and information management from Amman and Kuwait, UNAMI re-established the United Nations Iraq web site in both Arabic and English in February 2004 (www.uniraq.com). The facility provides a broad range of services including humanitarian and rehabilitation activity databases, a map centre, Iraq media monitoring, document archiving and discussion forums. In addition, UNAMI has

published an information kit on United Nations activities in Iraq, a newsletter in Arabic and English and regular reports to donors. UNAMI participated in the Inter-Agency Working Group to develop a communications strategy for the work of the United Nations in Iraq.

16. A public information campaign, particularly focusing on electoral matters and voter education, will be devised and implemented in collaboration with the Independent Electoral Commission of Iraq. The Department of Public Information will assist UNAMI as required on all aspects of its public information needs, during each phase of its redeployment.

E. Participation in the International Reconstruction Fund Facility for Iraq

17. Following the October donor conference in Madrid, UNAMI worked with the United Nations Development Group agencies and the World Bank to establish the mechanisms for the International Reconstruction Fund Facility for Iraq to accept funds and identify, appraise, approve, implement and monitor projects in the current difficult security conditions. A donor committee, chaired by Japan, was established and the Fund Facility has received pledges of more than $1 billion, with some $600 million pledged to the United Nations Development Group and the remaining $400 million to the World Bank. United Nations agencies have already programmed over $350 million in 27 separate projects. In the first six months of 2004, $100 million worth of activities were implemented. The first meeting of the International Reconstruction Fund Facility for Iraq was held on 28 and 29 February 2004 in Abu Dhabi and the second in Doha on 25 and 26 May 2004. A third meeting is to be held in Tokyo in October 2004. In Doha the Fund Facility agreed to focus its activities on the re-establishment of essential services, especially in the areas of education and health. It also agreed to focus on infrastructure rehabilitation, job creation, poverty reduction, governance, and capacity-building, including support for the transitional authorities. United Nations projects are developed by United Nations clusters with principal ministries and with the approval of the Ministry of Planning and Development Cooperation and the Iraqi Strategic Review Board.

F. Facilities, logistics and budget

18. At the moment, the headquarters of UNAMI is located in Amman. Since July 2004 more than 50 international and local staff are operating from a minimum operating security standards-compliant facility there. Other staff operate from a base in Kuwait, which backstops operations in the lower and upper south regions of Iraq and serves as the Mission's administrative and logistics base. The facility in Larnaca, Cyprus, was closed on 22 June 2004. United Nations agencies and programmes also have international and local staff in their Iraq programmes in these locations. In Baghdad, a United Nations liaison detachment has assisted visiting United Nations missions to undertake work on political, electoral and security/facility issues. A Headquarters management review team recommended that the total number of staff in Amman, including UNAMI and United Nations agencies, funds, offices and programmes with Iraq operations, be reduced.

19. UNAMI is currently in the process of establishing bases of operations in Baghdad, Basrah and Erbil for the mission and is undertaking minimum operating security standards compliance work. In Basrah and Erbil, that compliance work is under way. In Baghdad, UNAMI has identified office space to provide interim accommodation for the Special Representative and his team from mid-August 2004 onwards. The Special Representative and his team will have to rely on the Interim Government of Iraq and the multinational force for all life support during the initial stages of re-entry to Iraq of United Nations international staff. A status-of-mission agreement with the Interim Government and a memorandum of understanding with the multinational force are being prepared to enable this support to be provided.

20. The United Nations humanitarian air service flight made available to the Mission by the Royal Netherlands Air Force completed its tour of duty on 26 July 2004. Efforts are under way to find a replacement for this aircraft, both with Member States and through commercial means.

21. By resolution 1546 (2004) the Security Council has expanded the role of UNAMI and will increase its substantive activities in Iraq, particularly in the electoral area. However, owing to the current restrictions on the deployment of international United Nations staff to Iraq, at this stage, it is not envisaged that these activities will require additional resources for the remainder of 2004 above the level already approved by the General Assembly in section V of its resolution 58/272 of 23 December 2003. Should restrictions on deployment be eased significantly, and additional resources be required, this will be reported to the General Assembly for its consideration accordingly.

G. Other issues

22. UNAMI provided oversight for residual United Nations assets in Iraq. On 21 June 2004, the local authorities in Erbil started seizing vehicles and other equipment belonging to UNAMI, UNDP, UNESCO, UN-Habitat, FAO and WHO. They contended that since these had been purchased with funds under the oil-for-food programme and donor contributions, they were not United Nations property. My Special Representative a.i. protested against this action in a letter to the head of local administration in Erbil and explained that under international law the United Nations owned these vehicles and equipment. The local authorities have now expanded the scope of the seizures, taking over all United Nations assets regardless of their source of funding. I regret that the United Nations has so far not received a response regarding this important issue.

23. Following a request from the Office of the United Nations High Commissioner for Refugees and my Personal Representative in Lebanon, UNAMI facilitated the repatriation of 30 Kurdish migrants from Lebanon to Iraq.

III. Summary of United Nations activities in support of the political transition process in Iraq since 5 December 2003

24. Notwithstanding the constraints imposed by the temporary relocation of our international staff from Iraq following the attacks of 19 August and 22 September 2003, the United Nations remained fully engaged in Iraq's political transition

process. From United Nations Headquarters and from the region, we intensified high-level contacts with Iraqis and Governments around the world to discuss the situation and the prospects for an orderly political transition, culminating in credible elections. The fundamental building blocks of my position were the need for the occupation to be brought to an end as quickly as possible and for the Iraqis to regain control over their destiny. I therefore welcomed the political agreement reached between the Coalition Provisional Authority and the Governing Council of Iraq on 15 November 2003, which set a date — 30 June 2004 — for the termination of the occupation and the restoration of sovereignty to Iraq.

A. United Nations role in facilitating the political transition process

25. In a letter dated 30 December 2003, the President of the Governing Council of Iraq requested the United Nations to help determine whether elections were feasible by 30 June 2004, and, if not, to identify alternative means of forming an interim Iraqi government to which sovereignty could be restored. Many Iraqi organizations and personalities had sent similar requests. Against this backdrop, I convened a meeting on 19 January 2004 with representatives of the Governing Council and the Coalition Provisional Authority. At that meeting, strong assurances were given that there was an indispensable substantive role for the United Nations in answering those questions and that everything possible would be done to provide security for the personnel to be engaged in this process. In response to the request for United Nations assistance, I asked my Special Adviser, Lakhdar Brahimi, to help facilitate a process of national dialogue and consensus-building among Iraqis through his good offices. To this end, my Special Adviser undertook three missions to Iraq from February to June 2004, during which he held wide-ranging consultations with a broad spectrum of Iraqi society. Throughout this process, the Security Council was kept fully informed of the efforts of my Special Adviser and of the progress achieved

26. During his first visit, from 6 to 13 February 2004, my Special Adviser and a team from the Electoral Assistance Division of the Department of Political Affairs of the Secretariat carried out a fact-finding mission in Iraq. The mission concluded that credible elections could not be held by 30 June 2004, given that at least eight months were needed after a legal and institutional framework had been established. The 30 June 2004 deadline for the restoration of sovereignty to Iraq should nevertheless be maintained. The United Nations was ready to assist in building consensus among Iraqis on the specific powers, structure and composition of the mechanism to which sovereignty could be restored. On 23 February 2004, I submitted the report of the fact-finding mission to the Security Council (S/2004/140).

27. Following a request dated 17 March 2004 from the President of the Governing Council of Iraq, supported by the Coalition Provisional Authority, for United Nations assistance in the formation of an interim Iraqi government and in the preparations for direct elections to be held before the end of January 2005 (S/2004/225, annex II), I asked my Special Adviser and his team, as well as a team from the Electoral Assistance Division, to undertake a second mission to Iraq from 26 March to 16 April 2004. The Security Council welcomed my decision (S/PRST/2004/6). During his mission, my Special Adviser was able to develop provisional ideas for the formation of the interim government. He also suggested the

convening of a national conference after the restoration of sovereignty. The conference would be composed of at least 1,000 people and would engage in a genuine national dialogue so as to make the transition process as inclusive as possible. On 27 April 2004, my Special Adviser briefed the Council on this mission. The Security Council welcomed the ideas developed by my Special Adviser (S/PRST/2004/11).

28. During his third visit, from 1 May to 2 June 2004, my Special Adviser helped to facilitate a consultative process among Iraqis, resulting in an agreement on transitional institutions and arrangements. This agreement included the structure and composition of a sovereign and independent interim Iraqi government, which would assume power by 30 June. Consensus was also reached on a chairman for the committee which would prepare for the national conference. The formation on 1 June 2004 of the Interim Government of Iraq was facilitated by my Special Adviser in close consultation with the Governing Council and the Coalition Provisional Authority. On 7 June 2004, my Special Adviser briefed the Security Council on his role during this phase of the transition process (S/2004/461, annex).

29. In a letter dated 8 June 2004, the Prime Minister designate, Ayad Allawi, requested the United Nations to assist in the preparations for the convening of a national conference which would represent all the colours of the Iraqi political spectrum. I therefore dispatched a small team led by Jamal Benomar to Iraq to assist the Preparatory Committee for the National Conference, chaired by Fouad Massoum. A National Conference can provide an opportunity for Iraqi political forces and civil society to engage in national dialogue and reconciliation and broaden support for the political transition. To succeed, the Preparatory Committee must be given sufficient time to make the Conference as inclusive as possible to reflect Iraq's diversity and range of political opinions. It is equally important to ensure maximum transparency so as to allow the Iraqi people to keep themselves fully informed of the nature, scope and purpose of the Conference. Furthermore, the outcome of the Conference should be determined on the basis of a procedure agreed through genuine consultations. The United Nations will continue to assist the organizers of the Conference to achieve consensus among all stakeholders to these ends.

30. In addition to his activities inside Iraq, my Special Adviser engaged with countries of the region and regional initiatives. On 15 June 2004, he attended the meeting of the Regional Initiative on Iraq held on the sidelines of the thirty-first session of the Islamic Conference of Foreign Ministers. On 21 July 2004, he attended the Sixth Conference of the Ministers for Foreign Affairs of the States neighbouring Iraq. I welcome these regional initiatives intended to build trust and cooperation between Iraq and its neighbours. The United Nations stands ready to remain engaged in these processes.

B. Electoral assistance

31. Concurrently with the efforts of my Special Adviser, a team from the Electoral Assistance Division of the Department of Political Affairs, led by Carina Perelli, helped Iraqis to lay the essential groundwork for the holding of elections by January 2005. The Division first identified crucial electoral issues that would affect the holding of and the schedule for elections, including the need for an electoral

authority, the definition of an electoral system, the registration and the eligibility criteria of voters. The Division further proposed that an Independent Electoral Commission of Iraq be established with nine electoral commissioners, including a non-voting, United Nations-appointed international member and a non-voting Chief Electoral Officer as head of the electoral administration of the Commission. Following acceptance of this proposal by the Governing Council of Iraq, the Division provided assistance in the process of establishing the Commission and facilitating the negotiation of the electoral modalities for the Transitional National Assembly elections.

32. Under a plan designed and supervised by the Electoral Assistance Division, a national nomination and selection process was conducted to identify candidates for the posts of the electoral commissioners and the Chief Electoral Officer. The Division monitored and audited the implementation of the exercise. Any Iraqi person or association was able to submit nomination forms. The forms were collected by a confidential and secure system using ballot boxes positioned in every Governorate throughout Iraq and staffed by Coalition Provisional Authority staff. The electoral team simultaneously monitored and audited the implementation of the exercise by conducting audits and spot checks in Basrah, Hilla, Nasiryah, Baghdad, Kirkuk and Erbil. The Division vetted all 1,874 nominations received and produced a shortlist of 25 candidates for the eight Iraqi positions. Following an interview process conducted by an international team of experts, a final list of 14 candidates was reviewed by the Governing Council, which asked the Electoral Assistance Division to make the final selection. On 31 May 2004, the Commissioners and Chief Electoral Officer of the Independent Electoral Commission of Iraq were appointed by the Administrator of the Coalition Provisional Authority in accordance with the recommendations of the Division.

33. The Governing Council agreed on the definition of the competencies and role of the Independent Electoral Commission of Iraq, which were promulgated on 31 May 2004 in an Order by the Coalition Provisional Authority creating the electoral institution. The Governing Council also adopted an Electoral Law and a Political Party Law, which were signed into effect on 7 June 2004. The Electoral Law provided for a system of proportional representation, using the whole country as a single national district.

34. From 20 June to 9 July 2004, the Electoral Assistance Division, with the assistance of the Government of Mexico and the Federal Institute of Elections of Mexico, undertook an intensive training programme with the Iraqi Electoral Commissioners and Chief Electoral Officer. Training was provided by experts from various national electoral bodies, including those of Mauritius, Yemen and Palestine, as well as international experts. On 30 June 2004, the Chairman of the Electoral Commission formally requested the United Nations to assist in establishing the Commission as an institution and in the planning, preparation and organization of the electoral process; the training of Iraqi electoral staff; the coordination of international technical assistance for election purposes; and with guidance towards ensuring an inclusive, transparent and credible election, in accordance with international standards. The Electoral Assistance Division is currently in the process of deploying electoral staff to Baghdad to assist in establishing the Commission.

C. Adoption of resolution 1546 (2004)

35. On 8 June 2004, the Security Council unanimously adopted resolution 1546 (2004), by which it endorsed the proposed timetable for Iraq's political transition, including the formation of a sovereign Interim Government of Iraq by 30 June 2004 and the convening of a national conference. The Council also endorsed the holding no later than 31 January 2005 of direct democratic elections for a Transitional National Assembly, which would have responsibility, inter alia, for forming a Transitional Government and for drafting a permanent constitution for Iraq leading to a constitutionally elected government by 31 December 2005.

36. In paragraph 7 of resolution 1546 (2004), the Security Council decided that in implementing, as circumstances permit, their mandate to assist the Iraqi people and government, my Special Representative and UNAMI, as requested by the Government of Iraq, should play a leading role (a) to assist in the convening of a national conference to select a Consultative Council, to provide advice on the process for holding elections, and to promote national dialogue and consensus-building on the drafting of a national constitution; and should also (b) advise the Government in the development of effective civil and social services, contribute to the coordination and delivery of reconstruction, development and humanitarian assistance, promote the protection of human rights, national reconciliation, and judicial and legal reform in order to strengthen the rule of law in Iraq, and advise and assist the Government of Iraq on initial planning for the eventual conduct of a comprehensive census.

37. I welcomed the Security Council's unanimous adoption of resolution 1546 (2004), following a process of thorough consultations, including with the newly formed Interim Government of Iraq. I was grateful to the sponsors for retaining the caveat "as circumstances permit" with respect to the implementation of the United Nations mandate as well as the formulation "as requested by the Government of Iraq". In doing so, Security Council members took into consideration my concerns that the United Nations would need maximum flexibility in implementing in the new mandate conferred upon it.

38. On 12 July 2004, I appointed Ashraf Jehangir Qazi as my new Special Representative for Iraq and Head of UNAMI. I intend to deploy him, together with a core team, to the mission area very soon, on the assumption that satisfactory arrangements will be in place for the protection and accommodation of his mission. In preparation for his deployment to Baghdad, my Special Representative had several rounds of consultations at Headquarters and with Member States.

D. International Advisory and Monitoring Board

39. The International Advisory and Monitoring Board was constituted in October 2003 and first met in an organizational session on 5 December 2003 in New York, and has met on a monthly basis since then. At the first session it was agreed that my representative on the Board, Jean-Pierre Halbwachs, would chair it for a term not to exceed one year. The Board oversees the audits conducted by international accounting firms to ensure that the Development Fund for Iraq is used in a transparent manner for the purposes set out in paragraph 14 of resolution 1483 (2003) and that oil export sales are made consistent with prevailing international

market best practices. On 28 June 2004, the responsibility for decisions on the use of the resources of the Development Fund for Iraq was handed over from the Coalition Provisional Authority to the Interim Government of Iraq.

40. In a letter dated 30 June 2004, my representative on the International Advisory and Monitoring Board for Iraq reported to me on the Board's activities since its inception. The report was submitted to the Security Council on 7 July 2004 (S/2004/542, annex). On 26 July 2004, he briefed the Security Council on this issue, as called for in paragraph 24 of resolution 1483 (2003) and paragraph 12 of resolution 1511 (2003). Currently, the Board is in the process of revising its terms of reference in the light of resolution 1546 (2004).

IV. Observations

41. In resolution 1546 (2004) the Security Council gave the United Nations a strong and clearly defined mandate. At the same time, the situation in Iraq remains a major challenge both for the Iraqi people and for the international community as a whole. I strongly believe that Iraqis have the necessary human potential and natural resources to succeed in rebuilding their country. The United Nations stands ready to do everything possible to support and contribute to an Iraqi-led and Iraqi-owned process. To this end, the United Nations will concentrate its efforts and resources on the essential tasks set forth in its mandate pursuant to resolution 1546 (2004), as requested by the Government of Iraq, and with full consideration given to the tight deadlines set out in the timeframe of Iraq's transitional process.

42. The primary task of my Special Representative will be to assist the Iraqis in implementing the proposed transitional timetable leading to the establishment of a constitutionally elected Government by 31 December 2005. To this end, he will work closely with the Iraqi authorities, political entities and civil society. He will also consult with the countries of the region and the donor community in support of Iraq's political and economic reconstruction. My Special Representative will build upon the outstanding efforts of his predecessor, the late Sergio Vieira de Mello, and of my Special Adviser, as well as on the extensive work done by UNAMI to date. To succeed, my Special Representative will need the full backing of a united Security Council. In my first quarterly report pursuant to paragraph 30 of resolution 1546 (2004), which I intend to submit to the Council by 7 September 2004, I will elaborate on the work of my Special Representative on the basis of his initial first-hand experience and impressions.

43. Security will remain the primary obstacle and constraint. A qualitative improvement in the overall security environment is an essential prerequisite for the success of United Nations efforts in Iraq. The security and safety of all United Nations staff will therefore remain the overarching guiding principle for all our activities. This requires that our role and presence be in symmetry with the risks involved and based on a careful assessment of what is feasible and advisable against the evolving reality on the ground.

44. Until overall security conditions in Iraq improve significantly, UNAMI will have to continue to operate primarily from the region to assist the Iraqi people in the reconstruction of their country. A wide range of projects are already under way in Iraq under UNAMI supervision and coordination. The dedication and courage of United Nations Iraqi national staff and implementing partners in ensuring project

implementation and delivery have been exemplary and will continue to sustain our assistance work. In spite of the exceptionally challenging circumstances, UNAMI is promoting operational and sustained contacts with Iraqi ministries to assist in enhancing national capacity and is preparing for the resumption of in-country activities when circumstances permit. UNAMI will now also provide the necessary support to my Special Representative in his facilitation efforts in the political transition process.

45. The mandate and activities of UNAMI will remain a key component of the international community's efforts to assist the Iraqi people in their hour of need. I hope that UNAMI will be able to continue to rely on the full and continued support of the donor community. In particular, UNAMI will require adequate resources and satisfactory logistical and security arrangements to carry out its tasks. In the light of the essential role that it is playing in supporting the transition process in Iraq, I recommend that the mandate of UNAMI be extended for a further period of 12 months.

46. The end of occupation and the formal restoration of Iraqi sovereignty on 28 June 2004 marked a new phase in Iraq's transitional process. The Interim Government of Iraq now has an opportunity to reach out to all Iraqis and bring the country together in a spirit of national unity and reconciliation to lay down the foundations for the new Iraq. The National Conference now scheduled to begin on 15 August has an important role to play in this regard. Progress towards a peaceful and stable Iraq can be achieved only through political solutions. The United Nations is committed to working closely with the Iraqi authorities and the Iraqi people to that end.

47. I would like to take this opportunity to pay special tribute to my Special Adviser, Lakhdar Brahimi, to my Special Representative ad interim, Ross Mountain, to the Director of the Electoral Assistance Division, Carina Perelli, and to each member of their respective teams, for their dedication in their efforts to advance Iraq's political transition process, under exceptionally difficult circumstances.

United Nations A/59/212–S/2004/62

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General Assembly
Fifty-ninth session
Item 59 of the provisional agenda*
Maintenance of international security — good-neighbourliness, stability and development in South-Eastern Europe

Security Council
Fifty-ninth year

Identical letters dated 5 August 2004 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith the communiqué issued by the Ministry of Foreign Affairs of the Republic of Azerbaijan dated 4 August 2004 regarding the military exercises conducted by the Armenian armed forces in the occupied territories of the Republic of Azerbaijan (see annex).

I should be grateful if the present letter and its annex were urgently distributed as a document of the General Assembly under item 59 of the provisional agenda of its fifty-ninth session, and of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative

* A/59/150.

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Annex to the identical letters dated 5 August 2004 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Russian]

Communiqué from the press service of the Ministry of Foreign Affairs of the Republic of Azerbaijan

The Ministry of Foreign Affairs views with deep concern the military training exercises being conducted by the Armenian armed forces in the occupied territories of the Republic of Azerbaijan.

The attempts by the Armenian side to present these activities as exercises of the so-called "armed forces" of Nagorny Karabakh — which are in fact the illegal armed groups of the separatist regime established by Armenia in the occupied territories of Azerbaijan — cannot deceive the world community.

Together with the intention to hold illegal elections in the occupied territories of Azerbaijan on 8 August 2004, the holding of such exercises is yet another provocation by the Armenian side.

These exercises are also exacerbating the atmosphere surrounding the proposed participation of Armenian representatives in the NATO Cooperative Best Effort 2004 exercises scheduled to be held in September this year in Azerbaijan.

The activities of the Armenian side, in addition to exacerbating the already complicated situation in the conflict area, significantly complicate preparations for the forthcoming round of negotiations between the Ministries of Foreign Affairs of Azerbaijan and Armenia.

The Ministry of Foreign Affairs draws the attention of the international community to the fact that the holding of these exercises is further clear evidence of the aggression being waged by the Republic of Armenia against the Republic of Azerbaijan and of the occupation of its territories.

The above-mentioned activities yet again prove the lack of will on the part of the Republic of Armenia to proceed to a rapid and peaceful settlement of the Armenian-Azerbaijani conflict on the basis of the norms and principles of international law and are indicative of the efforts of that country to use any means to consolidate the results of its military aggression.

Baku, 4 August 2004

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Item 57 (n) of the provisional agenda**
Cooperation between the United Nations and regional and other organizations: cooperation between the United Nations and the Organization for Security and Cooperation in Europe

Security Council
Fifty-ninth year

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I should be grateful if the present letter and its annex were urgently distributed as a document of the General Assembly under item 57 (n) of the provisional agenda of its fifty-ninth session, and of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative

* Reissued for technical reasons.
** A/59/150.

04-45194* (E) 180804

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